

## **REMARKS**

This application has been reviewed in light of the Final Office Action mailed April 6, 2006. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1 – 11 are pending in the application with Claim 1 being in independent form.

### **I. Objection to Claims 7 – 11**

Initially, Applicant thanks the Examiner for indicating that Claims 7 – 11 contain allowable subject matter and thus would be allowed if rewritten in independent form including all the limitations recited in the base claim and any intervening claims.

### **II. Rejection of Claims 1 – 6**

Claims 1 – 4 and 6 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,459,039 issued to Bezama et al. and Claim 5 under 35 U.S.C. § 103(a) as allegedly obvious over Bezama et al.

Bezama et al. was filed with the U.S. Patent and Trademark Office (USPTO) on June 19, 2000, which supersedes the U.S. filing of the present application by less than a year. However, the present application claims priority from Japanese Patent Application 2000-171594 filed on June 8, 2000. Therefore, Applicant respectfully traverses the rejection to Claims 1 – 6 by providing a certified English translation of Japanese Patent Application 2000-171594 to the USPTO, thus perfecting priority over Bezama et al.


Accordingly, Applicant respectfully requests withdrawal of the present rejections with respect to Claims 1 – 4 and 6 under 35 U.S.C. § 102(e) and Claim 5 under 35 U.S.C. § 103(a) over Bezama et al.

### CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 11 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

  
Paul J. Esatto, Jr.  
Registration No. 30,749

SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 Garden City Plaza - Ste. 300  
Garden City, New York 11530  
(516) 742-4343

PJE:DAT:jam